HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &
HON'BLE SHRI SATISH K. AGNIHOTRI, J.

Writ Petition (C) No. 5888 of 2007

Petitioner : : S.M. Zubair, aged about 20 years, son of Shri M.A. Seikh, resident of MIG 20, Deen Dayal Upadhyay Nagar, Sector-4, Raipur (C.G.)

Versus

Respondents :

1. State of Chhattisgarh, through the Secretary, Department of Health and Family Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. The Director, Medical and Health Services, Raipur (C.G.)

3. Anusuchit Janajati Praman Patra Uchha Estariya Chhanbin Samiti, through its president Pandit Ravi Shankar Shukla Vishwavidalaya Parisar, Raipur (C.G.)

4. The Chhattisgarh Professional Examination Board (Chhattisgarh Pre-Entrance Test, 2007), Raipur, through-its Secretary.

Writ Petition under Article 226 of the Constitution of India

Present : Ms. Pushpa Dwivedi and Shri V. Vijay, counsel for the petitioner.
Shri Prashant Mishra, Advocate General with Shri U.N.S.Deo, Government Advocate for the State.
Shri Jitendra Gupta, counsel for respondent No.4.

ORAL ORDER
(Passed on 27th September, 2007)

The following oral order of the Court was passed by Hon'ble Jagdish Bhalla, Ag. C.J.

The matter was heard at length. The records were also perused by us. However, with the intervention of learned Advocate General the

matter was deferred for an hour or so. Thereafter, learned Advocate General who is known for his approach to uphold the rule of law came out with a fair solution which was accepted by the learned counsel for the petitioner. Accordingly, we record our appreciation for the gesture shown by learned Advocate General and for his contribution in administration of justice. The solution given by the learned Advocate General is to the effect that the payment seat on which the petitioner has been admitted at Chhattisgarh Institute of Medical Sciences (CIMS), Bilaspur, shall be converted into free seat and the money already deposited towards the payment seat by the petitioner shall be refunded to him.

Accordingly, the money deposited by the petitioner against the payment seat would be released in his favour.

In light of the above, the petition stands disposed of.

Sd/-
Satish K.Agnihotri
Judge

Sd/-
Acting Chief Justice

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